

REMARKS

Applicants respectfully requests the entry of the foregoing amendments and consideration of the remarks. Claims 1-66 are pending in the application. Claims 1-12, 14-24, 26-36, 38-48, and 50-66 were rejected. Claims 13, 25, 37, and 49 were objected to, but were indicated to be allowable if amended to include the limitations of respective base claims and any intervening claims. Claims 1, 13, 14, 25, 26, 37, 38, 49, and 50-66 have been amended herein.

Allowable Subject Matter

Claims 13, 25, 37, and 49 were objected to, but were indicated to be allowable if amended to include the limitations of respective base claims and any intervening claims. Accordingly, Applicants have amended each of claims 13, 25, 37, and 49 to be in independent form and to include the limitations of their respective base claims and any intervening claims. Therefore, Applicants respectfully submit that claims 13, 25, 37, and 49 are allowable.

Objection to the Disclosure

The disclosure was objected to for informalities. Applicants thank the Examiner for carefully reviewing the disclosure and pointing out the informalities. Applicants have amended the specification as suggested.

Nonstatutory Double Patenting Rejections

Claims 1-12, 14-24, 26-36, 38-48, and 50-66 were provisionally rejected as being unpatentable over claims 1-13, 5-22, and 24-58 of copending U.S. Patent Application No. 09/551,276.

Applicants submit herewith a Terminal Disclaimer under 37 CFR 1.130(b). Therefore, Applicants consider the double patenting rejections overcome and respectfully request withdrawal of the rejections.

Claim Rejections under 35 U.S.C. § 102(e)

Claims 1, 2, 5, 8, 10, 11, 14, 15, 18, 21, 23, 26, 27, 30, 33, 35, 38, 39, 42, 45, and 47 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,563,861 to Krasny et al. ("Krasny").

Krasny discloses a Doppler spread estimator that correlates the spectral densities of plural Doppler spread values. (column 1, line 56-column 2, line 7) Krasny teaches a method for a wireless communication system, and more particularly, use of a pilot signal in such a system. (column 2, lines 58-60) Krasny further teaches that actual Doppler spread values may be estimated by correlating estimated spectral density values and weighting functions corresponding to hypotheses of the plural Doppler spread values. The hypothesis having the highest correlation value is selected. (column 6, lines 33-54).

Applicants respectfully assert that the invention of the claims is not taught or suggested by Krasny. The invention as claimed includes producing a plurality of complex first correlation values based upon a received spread spectrum modulated signal having a Doppler shift error signal, and a code. The invention as claimed further includes generating a plurality of complex second correlation values respectively from the first correlation values, wherein generating includes combining a stored, associated, phase shift value with each of the first correlation values to produce the second correlation values. (see, for example, amended Claim 1). Support for the limitations of amended Claim 1 is provided in the specification and drawings as filed. For example, see page 43, line 18 to page 50, line 25, and Figure 14.

Krasny completely fails to teach a stored, associated phase shift value, or combining an associated phase shift value with a first correlation value. Rather, Krasny specifically teaches correlating estimated spectral densities and weighting functions corresponding to hypotheses of Doppler spread values. (column 5, line 55-column 6, line 9).

Because Krasny fails to teach all of the limitations of Claim 1 as amended,

Applicants respectfully submit that Claim 1 is not anticipated by Krasny. Claims 2-12 depend from Claim 1 and include further limitations thereon. Therefore, Applicants respectfully submit that Claims 1-12 are also allowable over the cited art.

Independent claims 14, 26, 38, and 50-66 also recite the distinguishing limitation stated above. Therefore Applicants respectfully submit that Claims 14, 26, 38, and 50-66, and their respective dependent claims as applicable, are also allowable over the cited art.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-66 are in condition for allowance. The Examiner is invited to call the undersigned if there are any issues that remain to be resolved prior to allowance of the claims.

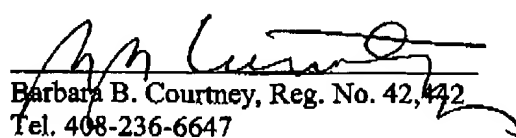
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Please charge deposit account 501914 for any fees due in connection with this Office Action response.

Respectfully submitted,

Shenwell Gregory & Courtney LLP

Date: December 1, 2003


Barbara B. Courtney, Reg. No. 42,442
Tel. 408-236-6647